

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 STEPHANIE M. STOKMAN  
4 Assistant United States Attorney  
5 2500 Tulare Street, Suite 4401  
6 Fresno, CA 93721  
7 Telephone: (559) 497-4000  
8 Facsimile: (559) 497-4099  
9  
10 Attorneys for Plaintiff  
11 United States of America  
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14 IN THE UNITED STATES DISTRICT COURT  
15  
16 EASTERN DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 WESLEY TSUKAMOTO,

21 Defendants.

CASE NO. 1:21-CR-00115-ADA-BAM

22 STIPULATION REGARDING EXCLUDABLE  
23 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
24 FINDINGS AND ORDER

25 DATE: June 12, 2023

TIME: 8:30 a.m.

COURT: Hon. Ana de Alba

26 This case is set for status conference on August 9, 2023, which the parties stipulate to vacate in  
27 order to set a change of plea hearing on June 12, 2023, for the reasons set forth below.

28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
30 through defendant's counsel of record, hereby stipulate as follows:

- 31 1. By previous order, this matter was set for status conference on August 9, 2023.  
32 2. By this stipulation, the parties now move to vacate the status date for a change of plea on  
33 June 12, 2023.  
34 3. The parties agree and stipulate, and request that the Court find the following:  
35 a) On May 11, 2023, the parties entered into and filed a Memorandum of Plea  
36 Agreement. For that reason, the parties agree that a change of plea on June 12, 2023 is  
37 appropriate. Prior to filing this stipulation, the parties conferred with the courtroom deputy for  
38 the assigned district court judge, who indicated this date is available for a change of plea.

1                   b)     Time was previously excluded until August 9, 2023.

2       4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
4 must commence.

5                   IT IS SO STIPULATED.

6                   Dated: May 11, 2023

7                   PHILLIP A. TALBERT  
United States Attorney

8                   \_\_\_\_\_  
9                   /s/ STEPHANIE M. STOKMAN  
10                  STEPHANIE M. STOKMAN  
Assistant United States Attorney

11                  Dated: May 11, 2023

12                  \_\_\_\_\_  
13                  /s/ JOHN GARLAND  
14                  JOHN GARLAND  
Counsel for Defendant  
Wesley Tsukamoto

15                  **ORDER**

16       IT IS SO ORDERED that the status conference set for August 9, 2023, is vacated. A change of  
17      plea hearing is set for **June 12, 2023, at 8:30 a.m. before District Judge Ana de Alba**. Time was  
18      previously excluded.

20                  IT IS SO ORDERED.

21                  Dated: May 12, 2023

22                  \_\_\_\_\_  
23                  /s/ *Barbara A. McAuliffe*  
24                  UNITED STATES MAGISTRATE JUDGE